

CENTRAL INTELLIGENCE AGENCY



LEGISLATIVE LIAISON
85-1244/3

Director, Office of Legislative Liaison

22 April 1985

NOTE TO: DCI
DDCI
EX DIR


223 APR 1985
JT

o Para. 4 discusses a current problem ^{which} with D/OP and the EX DIR believe we should reclama, namely, approving extra retirement credit for CIARDS employees at unhealthful overseas posts. I agree that we should appeal.

o However, it is important that we move the Authorization Bill to the Hill in order for the Oversight Committees to consider the other provisions: which include the defector section (requiring coordination with the Judiciary Committee) and the DOD proprietary section.

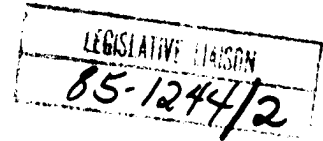
o OP is preparing a reclama. After its sign off here, clearance through OMB might take two weeks.

O Thus, I suggest sign off on this package, with the appeal to follow as ~~are~~ independent action, not tying up the whole package.


Charles A. Briggs

DCI
EXEC
REG

STAT



22 April 1985

MEMORANDUM FOR: Director of Central Intelligence

FROM: Charles A. Briggs
Director, Office of Legislative Liaison

SUBJECT: Fiscal Year 1986 Intelligence Authorization Bill

REFERENCE: Memorandum to DCI and DDCI from D/OLL re
Draft Fiscal Year 1986 Intelligence
Authorization Bill dated 22 February 1985

1. The attached draft Fiscal Year 1986 Intelligence Authorization Bill (Tab A) has been approved by the Office of Management and Budget (OMB) and other concerned Executive Branch agencies, and is now ready for transmittal to Congress. A brief description of the Bill is contained below. We recommend that the attached Bill be transmitted to Congress and have attached appropriate letters for your signature.

2. Titles 1 through 3 of the draft Bill are routine in nature and similar in substance to comparable provisions contained in the Fiscal Year 1985 and previous authorization bills.

3. Title 4, 5, and 6 of the draft Bill contain six substantive legislative initiatives which (a) raise the Executive Schedule position levels of the Director and Deputy Director of Central Intelligence; (b) provide for an interlocutory appeal by the United States from any decision of a United States court on any evidentiary or discovery matter if the DCI certifies that the decision will have an adverse impact upon the national security of the United States; (c) provide for extra retirement credits for Agency employees who serve at unhealthful posts and who qualify for CIARDs; (d) clarify the Agency's legal authority to deal with security problems in the area of drug and alcohol abuse without regard to the provisions of any other law, rule or regulation; (e) provide the Department of Defense with the authority to establish and run proprietaries without regard to a number of existing statutory restrictions applicable to U.S. government agencies; and (f) provide the Agency with the authority to waive certain requirements for naturalization for individuals who have made significant contributions to the national security or to the national intelligence mission.

4. With respect to the legislative initiative regarding extra retirement credits for service by Agency employees at unhealthful posts, OMB deleted a provision contained in the draft Intelligence Authorization Bill that would have provided these same extra retirement credits for those Agency employees who do not qualify for CIARDS. OMB's position in this matter is that there has not been a sufficient showing that these employees need the extra retirement credit, and that providing these extra retirement credits would set a bad precedent since other government employees could demand similar treatment. Given the inequity in not providing these benefits to similarly-situated non-CIARDS Agency employees, I believe we should appeal this OMB decision. The Office of Personnel is presently preparing written materials to support this appeal and make our case for these non-CIARDS individuals. I would recommend that we send the present OMB-approved version of the bill to Congress while we await the appeal decision, so that we can afford our oversight committees sufficient time to consider the other provisions of the bill during the interim.

*okay but
chancey
J*

5. As you are aware, the legislative initiatives pertaining to unauthorized disclosure of classified information and shielding Intelligence Community personnel from tort liability that were contained in the draft Intelligence Authorization Bill originally sent to OMB have been dropped. In agreeing to drop these provisions, we received assurances that the Department of Justice will give serious consideration, in the near future, to proposals dealing with the problem of leaks and also to legislation shielding all government employees from tort liability.

6. Finally, OMB has deleted a provision in Title 7 of the Intelligence Authorization Bill, which has been included routinely in past Intelligence Authorization Bills. That provision provides that appropriations authorized by the Act for salary, pay, retirement, and other benefits for Agency employees may be increased by such additional or supplemental amounts as may be necessary for increases authorized by law. OMB informs us that this provision has been deleted from authorization bills for all other federal agencies. OMB's position is that this provision is inconsistent with the President's goal of reducing benefits provided to government employees.

7. Following your review of the bill as approved by OMB, attached at Tab B for your signature are the letters transmitting the draft Authorization Bill to the Speaker of the House and to the President of the Senate.

[Redacted Signature Box]

Charles A. Briggs

STAT

Attachments
As stated

A BILL

To authorize appropriations for fiscal year 1986 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Intelligence Authorization Act for Fiscal Year 1986".

TITLE I - INTELLIGENCE ACTIVITIES

Authorization of Appropriations

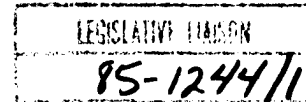
SEC. 101. Funds are hereby authorized to be appropriated for fiscal year 1986 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Central Intelligence Agency;
- (2) The Intelligence Community Staff;
- (3) The Department of Defense;
- (4) The Defense Intelligence Agency;
- (5) The National Security Agency;
- (6) The Department of the Army, the Department of the Navy, and the Department of the Air Force;
- (7) The Department of State;
- (8) The Department of the Treasury;
- (9) The Department of Energy;
- (10) The Federal Bureau of Investigation; and
- (11) The Drug Enforcement Administration.

Classified Schedule of Authorizations

SEC. 102. The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1986, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared by the committee of conference to accompany () of the Ninety-Ninth Congress. That Schedule of Authorizations shall be made available to the Committee on Appropriations of the Senate and House of

Washington, D.C. 20505



23 APR 1985

The Honorable Thomas P. O'Neill, Jr.
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

This letter transmits for the consideration of the Congress a proposed "Intelligence Authorization Act for Fiscal Year 1986."

Sufficient resources are needed in Fiscal Year 1986 to continue the progress which the Executive and Legislative Branches have taken together toward revitalization of our nation's Intelligence Community. I am confident that the Congress will provide the resources needed to develop and maintain the intelligence capabilities required to protect the national security in today's increasingly complex world.

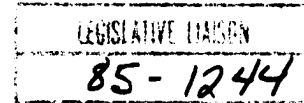
The proposed Intelligence Authorization Act is accompanied by a detailed section-by-section explanation. Timely consideration of the "Intelligence Authorization Act for Fiscal Year 1986" would be greatly appreciated. The Office of Management and Budget has advised that enactment of this proposed legislation would be in accordance with the President's program.

Sincerely,

William J. Casey
Director of Central Intelligence

Enclosure

Washington DC 20505



23 APR 1985

The Honorable George Bush
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

This letter transmits for the consideration of the Congress a proposed "Intelligence Authorization Act for Fiscal Year 1986."

Sufficient resources are needed in Fiscal Year 1986 to continue the progress which the Executive and Legislative Branches have taken together toward revitalization of our nation's Intelligence Community. I am confident that the Congress will provide the resources needed to develop and maintain the intelligence capabilities required to protect the national security in today's increasingly complex world.

The proposed Intelligence Authorization Act is accompanied by a detailed section-by-section explanation. Timely consideration of the "Intelligence Authorization Act for Fiscal Year 1986" would be greatly appreciated. The Office of Management and Budget has advised that enactment of this proposed legislation would be in accordance with the President's program.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. J. Casey". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

William J. Casey
Director of Central Intelligence

Enclosure